

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA,)	CASE NO. 4:17 CR 275
)	
)	
Plaintiff,)	JUDGE DONALD C. NUGENT
)	
v.)	
)	
DEONDRE HILL,)	<u>MEMORANDUM OPINION</u>
)	<u>AND ORDER</u>
Defendant.)	

This matter comes before the Court upon Defendant, Deondre Hill's *pro se* Motion for Reduction in Sentence and Retroactive Application of the Fair Sentencing Act of 2010 Pursuant to Section 404 of the First Step Act of 2018. (ECF # 370). The government filed a Response in Opposition to the motion. (ECF #375).

On December 20, 2018, Defendant was sentenced to 63 months imprisonment on an indictment which charged him with conspiracy to possess with intent to distribute heroin, cocaine powder, and crack cocaine. (ECF #293)

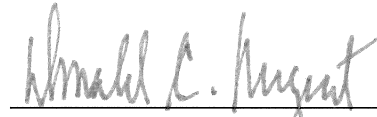
On December 21, 2018, the First Step Act was signed into law. Section 404 of the 2018 First Step Act makes retroactive the portions of the 2010 Fair Sentencing Act that previously increased the threshold quantities triggering statutory penalties for certain offenses involving cocaine base ("crack"). The Fair Sentencing Act was enacted on August 3, 2010. Section 404 of the 2018 First Step Act applies to "a violation of a Federal criminal statute ... that was committed before August 3, 2010.

Mr. Hill was charged in a conspiracy that began in January 2015, and was sentenced on

December 20, 2018, over eight years after the 2010 Fair Sentencing Act was enacted.

Accordingly, he is not eligible for relief under Section 404 of the First Step Act.

For the reasons set forth above, no reduction in Mr. Hill's sentence is authorized by the First Step Act, and his Motion for Relief is DENIED. (ECF #370).


DONALD C. NUGENT
United States District Judge

DATED: July 24, 2020